

SEPTIMUS BROWN.

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MAY 24, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. DAVISON, from the Committee on War Claims, submitted the following

REPORT.

[To accompany House Res. No. 304.]

The Committee on War Claims, to whom was referred the bill (H. R. 2202) for the relief of Septimus Brown, submit the following report:

The claimant, at the time of the breaking out of the late civil war, was residing on a small farm belonging to him in the county of Alexandria, in the State of Virginia, within sight of the Capitol. The Union troops camped in his vicinity, and, as his house occupied an eminence which the Federal forces deemed necessary for the erection of a fieldwork, they ordered him to vacate the premises and took possession of the same, razed the buildings, and occupied the land for military purposes. In 1862 he filed a claim for compensation for the use and occupancy of the same in the United States Court of Claims, which was pending therein at the date of the passage of the act of July 4, 1864, by which act he was thrown out of said court for want of jurisdiction. Subsequently he brought the matter to the attention of Congress, where the matter rested with varying action until, about 1883, the papers were sent to the Court of Claims, where they remained until, in 1892, the case was dismissed by said court on the ground of a failure of the case to come within the purview of the act of Congress known as the Bowman Act, the court holding that a specific resolution of reference from either the House of Representatives or some committee thereof was necessary to give them jurisdiction.

The testimony filed in the case seems to make a *prima facie* case in favor of the claimant; and in order that his rights may receive such judicial action as can not well be afforded by this committee, they recommend that the accompanying resolution of reference referring the claim to the United States Court of Claims for consideration and adjudication be adopted.